



## South Coast Air Quality Management District

### Engineering & Compliance

*Policies &  
Procedures*

---

#### South Coast Air Quality Management District Engineering and Compliance Coating, Printing and Aerospace Operations

Date: February 22, 2000  
To: Coating, Printing and Aerospace Staff  
From: Fred Lettice /s/ FL  
Subject: Applications Subject to Rule 212 Public Notice Requirements

This memo will clarify the types of applications that are subject to the public notice requirements in Rule 212 (Standards for Approving Permits and Issuing Public Notice).

Rule 212(c) requires a 30-day public notice prior to granting a permit to construct or permit modification for a project requiring notification. This section is applicable to applications for permits to construct new equipment and permits to construct modifications of existing equipment.

Rule 212(f) specifies that a permit to operate application for a permit unit installed or constructed without a required permit to construct shall be subject to the requirements of Rule 212. This section subjects permit to operate applications to the same notice requirements as permit to construct applications when the permit to operate applicant failed to obtain the required permit to construct. This language prevents the individual from avoiding the public notice requirements by violating Rule 201 (Permit to Construct).

When processing a permit to operate application for equipment that was previously exempt under Rule 219, you need to determine the date the installation of the equipment commenced and the date the Rule 219 exemption was eliminated. If the equipment was installed before the Rule 219 exemption was eliminated, a permit to construct was not required for the equipment and therefore the permit to operate application is not subject to the Rule 212 notice requirements. However, if the installation of the equipment commenced after the Rule 219 exemption was eliminated, a permit to construct was required and the application is subject to the Rule 212 notice requirements. For example, Rule 219 exempted wet gate printers until September 11, 1998. If you are processing an application for a wet gate printer that was installed on January 10, 1997, it did not require a permit to construct since the Rule 219 exemption was in effect at that time. As a result, the application would not be subject to the public notice requirements in Rule 212. However, if the wet gate printer was installed in December 1999, the application would be subject to the Rule 212 public notice requirements since the exemption was eliminated on September 11, 1998.

In general, the following table can be used as a quick reference to determine if an application is subject to the public notice requirements in Rule 212.

Type of Application	Subject to Rule 212 Notice Requirements	
	Yes	No
Application to install new equipment (Permit to Construct)	√	
Application to modify existing equipment (Permit to Construct)	√	
Application to change existing permit condition	√	
Application for existing equipment (Permit to Construct) required but not obtained.	√	
Application for change of operator		√
Application for existing equipment previously exempt under Rule 219 (equipment installed before exemption was eliminated)		√
Application for existing equipment previously exempt under Rule 219 (equipment installed after exemption was eliminated)	√	
Application for existing equipment with expired permit		√
Application for change of location	√	

If you have any questions regarding this information, please discuss them with your supervisor or me.

FEL

cc: Carol Coy  
Mohsen Nazemi

212and 219